

Attorney's Docket No. 1836-001630

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Serial No.: 09/714,424 Filing Date: November 16, 2000  
Examiner: Allan R. Kuhns Group Art Unit: 1732  
Invention: "High Performance Microcellular Foam and Manufacturing Method and Apparatus Thereof"

Transmitted herewith is an Amendment in the above-identified application.

Small Entity Status is/has been asserted for this application under 37 CFR 1.27.  
 A verified statement to establish small entity status under 37 CFR 1.27 is enclosed.  
 No additional fee is required.  
 The fee has been calculated as shown below:

No. of Claims After <u>Amendment</u>	Highest No. Previously <u>Paid For</u>	Present <u>Extra</u>	Small Entity <u>Rate</u>	Non-Small Entity <u>Rate</u>	Charge
Total <u>N/A</u>			x \$ 9.00	x \$ 18.00	\$ _____
Indep. <u>N/A</u>			x \$ 43.00	x \$ 86.00	\$ _____
First Presentation of Multiple Dependent Claim/s			+ \$145.00	+ \$290.00	\$ _____
TOTAL ADDITIONAL FEE \$ _____					

A check in the amount of \$ \_\_\_\_\_ is enclosed to cover the filing fee.  
 A check in the amount of \$ \_\_\_\_\_ is enclosed for a \_\_\_\_\_ month Petition for Extension of Time.  
 The Commissioner is hereby authorized to charge payment of the following fees associated with this communication to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650. An original and two copies of this sheet are enclosed.  
 Any additional filing fees required under 37 CFR 1.16.  
 Any patent application processing fees under 37 CFR 1.17.

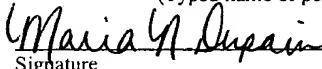
January 21, 2004  
Date

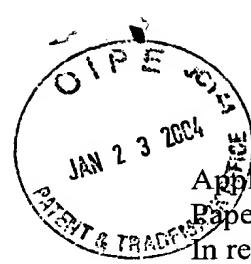
By 

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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, Alexandria, VA 22313-1450 on January 21, 2004.

Maria N. Dupain  
(Typed name of person mailing paper)

  
Signature 01/21/04  
Date



Application No. 09/714,424  
Paper Dated January 21, 2004  
In reply to USPTO correspondence of November 19, 2003  
Attorney Docket No. 1836-001630

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Group Art Unit 1732 :  
In re application of : **HIGH PERFORMANCE  
MICROCELLULAR FOAM AND  
MANUFACTURING METHOD AND  
APPARATUS THEREOF**  
**Carl J. SERMAN et al.** :  
Application No. 09/714,424 :  
Filed November 16, 2000 :  
Examiner: Allan R. Kuhns :  
Pittsburgh, Pennsylvania  
January 21, 2004

**RESPONSE TO NOTICE REGARDING DRAWINGS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the "Notice of Allowability" dated November 19, 2003, which requires that a set of corrected drawings be submitted, Applicants submit herewith the required replacement drawings containing the changes noted in the "Notice of Draftpersons's Patent Drawing Review". A copy of this Notice is also enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 21, 2004

Maria N. Dupain

(Name of Person Mailing Paper)

Maria N. Dupain  
Signature

01/21/04

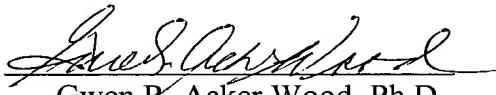
Date

Application No. 09/714,424  
Paper Dated January 21, 2004  
In reply to USPTO correspondence of November 19, 2003  
Attorney Docket No. 1836-001630

Entry of replacement drawings is respectfully requested.

Respectfully submitted,

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Form PTO-948 (Rev. 06/87)  
Application No. 97/144211

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

## NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 11/16/03 are:

A.  approved by the Draftsperson under 37 CFR 1.84 or 1.152.  
B.  objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

1. **DRAWINGS.** 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).  
 Color drawings are not acceptable until petition is granted. Fig(s) \_\_\_\_\_  
 Pencil and non black ink not permitted. Fig(s) \_\_\_\_\_
2. **PHOTOGRAPHS.** 37 CFR 1.84(b)  
 One (1) full-tone set is required. Fig(s) \_\_\_\_\_  
 Photographs may not be mounted. 37 CFR 1.84(e)  
 Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) \_\_\_\_\_  
 Poor quality (half-tone). Fig(s) \_\_\_\_\_
3. **TYPE OF PAPER.** 37 CFR 1.84(e)  
 Paper not flexible, strong, white, and durable. Fig(s) \_\_\_\_\_  
 Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) \_\_\_\_\_
4. **SIZE OF PAPER.** 37 CFR 1.84(f): Acceptable sizes:  
 21.0 cm by 29.7 cm (DIN size A4) or  
 21.6 cm by 27.9 cm (8 1/2x 11 inches)  
 All drawing sheets not the same size.  
Sheet(s) \_\_\_\_\_  
 Drawings sheets not an acceptable size. Fig(s) \_\_\_\_\_
5. **MARGINS.** 37 CFR 1.84(g): Acceptable margins: Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm  
 Margins not acceptable. Fig(s) \_\_\_\_\_  
 Top (T)      Left (L)  
 Right (R)      Bottom (B)
6. **VIEWS.** 37 CFR 1.84(h)  
REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.  
 Views not labeled separately or properly. Fig(s) \_\_\_\_\_
7. **SECTIONAL VIEWS.** 37 CFR 1.84(h)(3)  
 Sectional designation should be noted with Arabic or Roman numbers. Fig(s) \_\_\_\_\_

8. **ARRANGEMENT OF VIEWS.** 37 CFR 1.84(i)  
 Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) \_\_\_\_\_
9. **SCALE.** 37 CFR 1.84(k)  
 Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) \_\_\_\_\_
10. **CHARACTER OF LINES, NUMBERS, & LETTERS.** 37 CFR 1.84(l)  
 Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) \_\_\_\_\_
11. **SHADING.** 37 CFR 1.84(m)  
 Solid black areas pale. Fig(s) \_\_\_\_\_  
 Solid black shading not permitted. Fig(s) \_\_\_\_\_
12. **NUMBERS, LETTERS, & REFERENCE CHARACTERS.** 37 CFR 1.84(p)  
 Numbers and reference characters not plain and legible. Fig(s) \_\_\_\_\_  
 Figure legends are poor. Fig(s) \_\_\_\_\_  
 Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) \_\_\_\_\_  
 English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) \_\_\_\_\_  
 Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) \_\_\_\_\_
13. **LEAD LINES.** 37 CFR 1.84(q)  
 Lead lines missing. Fig(s) \_\_\_\_\_
14. **NUMBERING OF SHEETS OF DRAWINGS.** 37 CFR 1.84(t)  
 Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) \_\_\_\_\_
15. **NUMBERING OF VIEWS.** 37 CFR 1.84(u)  
 Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) \_\_\_\_\_
16. **DESIGN DRAWINGS.** 37 CFR 1.152  
 Surface shading shown not appropriate. Fig(s) \_\_\_\_\_  
 Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) \_\_\_\_\_

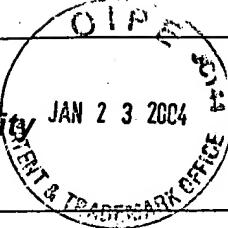
COMMENTS:

*Drafting Boxes Around Fig 1A (est 1-16)*

Reviewer WJS

If you have questions, call (703) 305-8404.

Date 11/13/03  
Attachment to Paper No. 111403

 <b>Notice of Allowability</b>		Application No.	Applicant(s)
		09/714,424	SERMAN ET AL.
		Examiner	Art Unit
		Allan Kuhns	1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to the amendment filed October 24, 2003.
2.  The allowed claim(s) is/are 20.
3.  The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

5.  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a)  The translation of the foreign language provisional application has been received.
6.  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8.  CORRECTED DRAWINGS must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No. \_\_\_\_\_.
  - (b)  including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

- 1  Notice of References Cited (PTO-892)
- 3  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 5  Information Disclosure Statements (PTO-1449), Paper No. \_\_\_\_\_.
- 7  Examiner's Comment Regarding Requirement for Deposit of Biological Material

- 2  Notice of Informal Patent Application (PTO-152)
- 4  Interview Summary (PTO-413), Paper No. \_\_\_\_\_.
- 6  Examiner's Amendment/Comment
- 8  Examiner's Statement of Reasons for Allowance
- 9  Other

*Allan R. Kuhns*

ALLAN R. KUHNS  
PRIMARY EXAMINER Av 1732  
11-14-03